

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
BRYSON CITY DIVISION**

**2:09po01**

**UNITED STATES OF AMERICA,**

**Vs.**

**CLYDE LOWELO GRUBBS.**

---

)  
)  
)  
)  
)  
)

**ORDER**

**THIS MATTER** is before the court upon defendant's Motion for Admission Pro Hac Vice and Motion to Continue.

Inasmuch as counsel for defendant requests admission without the assistance of local counsel, the court deems such motion to be a Motion for Special Admission. The court has considered the qualifications of counsel as well as the complexity of the case. Inasmuch as such case is likely to be resolved at the magistrate judge level, the court finds the Edward C. Perry's request for special admission is appropriate and will be allowed in light of the complexity of the issues raised. Mr. Perry is advised, however, that the court reserves the right to review such application if this matter proceeds before an Article III judge as the requirements for special admission are more stringent at such level as special admission is rarely granted where a jury may be involved.

The court has also considered the Motion to Continue Initial Appearance and

it appearing that a summons was issued in this case and that defendant is not in custody, the request will be allowed. Counsel for defendant is advised to pay particular attention to the provision of the notice specifying the court location.

### **ORDER**

**IT IS, THEREFORE, ORDERED** that

- (1) defendant's Motion for Admission *Pro Hac Vice* (#5) is **DEEMED** to be a Motion for Special Admission and is **GRANTED**, and Edward C. Perry is **ADMITTED** to practice before the Bar of this court at the magistrate judge level only without the assistance of local counsel;
- (2) defendant's Motion to Continue Initial Appearance (#4) is **ALLOWED**, the Initial Appearance in this matter is **CONTINUED** from November 24, 2009, and is **RESET** for December 14, 2009.

Noting that such date is a regular date of CVB, the Clerk of this court is respectfully instructed to notice such Initial Appearance at a time available on such date.

For purposes of planning only, counsel for defendant shall inform the Clerk of this court whether defendant intends to dispose of such misdemeanor case on such

date.

Signed: November 23, 2009

Dennis L. Howell

Dennis L. Howell  
United States Magistrate Judge

